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## HOUSE CONCURRENT RESOLUTION

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REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE EXISTING AND  
ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY  
AND FAIRLY AND EQUALLY ENFORCE APPLICABLE LAWS AND  
REGULATIONS FOR ALL COMPANIES.

1 WHEREAS, managing waste through solid waste recycling and  
2 alternative means of waste disposal, including donation,  
3 compost, biofuel production, anaerobic digestion, and thermal  
4 combustion of organic material, is important and of great value  
5 to the State; and

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7 WHEREAS, the solid waste recycling industry provides  
8 valuable services to communities in the State of Hawaii, but can  
9 cause harm to human health and safety and to the environment if  
10 not responsibly operated; and

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12 WHEREAS, the Department of Health is authorized to enforce  
13 laws and regulations to protect and improve the health and  
14 safety of the citizens of Hawaii and the environment; and

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16 WHEREAS, these laws and regulations are intended to  
17 regulate, among other things, the operations of companies in the  
18 solid waste recycling industry to ensure that they are conducted  
19 in a responsible and safe manner and do not present increased  
20 risks to the health of Hawaii's citizens or to the environment;  
21 and

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23 WHEREAS, these laws and regulations include measures that  
24 proscribe or constrain certain conduct, including but not  
25 limited to the manner in which companies handle potentially  
26 harmful materials, whether and to what extent substances may be  
27 discharged into the environment, and whether the construction of  
28 facilities that may have environmental and safety impacts is  
29 permitted; and  
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1 WHEREAS, these laws and regulations are necessary in order  
2 to ensure the continued positive impact of the solid waste  
3 recycling industry while minimizing any possible negative  
4 impacts to Hawaii's citizens and environment; and  
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6 WHEREAS, there have been reports of Hawaii's solid waste  
7 recycling facilities committing numerous violations of these  
8 laws and regulations over time, including but not limited to  
9 operating or performing activities without proper permits,  
10 failing to comply with permit requirements, failing to comply  
11 with standards for handling and storage of potentially harmful  
12 materials, and failing to adequately protect against discharges  
13 of harmful materials into the environment; and  
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15 WHEREAS, reports of continuing violations of laws and  
16 regulations related to the protection of human health and the  
17 environment may not consistently be given a timely response by  
18 the Department of Health; and  
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20 WHEREAS, allowing continuing violations without swift  
21 action by the Department of Health not only presents harmful  
22 risks to Hawaii's citizens and environment, but also tarnishes  
23 the reputation of the solid waste recycling industry and puts  
24 companies that operate within the regulations and with a concern  
25 for the environment at an unfair disadvantage, and therefore  
26 encourages unlawful conduct; now, therefore,  
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28 BE IT RESOLVED by the House of Representatives of the  
29 Twenty-eighth Legislature of the State of Hawaii, Regular  
30 Session of 2015, the Senate concurring, that the Department of  
31 Health is requested to promptly investigate all alleged  
32 violations of laws and regulations pertaining to human health  
33 and the environment within its purview by companies operating  
34 within the solid waste recycling industry, timely issue any  
35 appropriate penalty or order any necessary corrective action,  
36 and ensure any ordered action is taken; and  
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38 BE IT FURTHER RESOLVED that the Department of Health  
39 provide a complaining or interested party with information  
40 regarding the status and results of any such investigation,  
41 resulting penalty, or order for corrective action; and  
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43 BE IT FURTHER RESOLVED that the Department of Health fairly  
44 and equally enforce laws and regulations it is authorized to



1 enforce against all companies operating within the solid waste  
2 recycling industry, with the goal of ensuring compliant, fair,  
3 and safe operations to further the ultimate end of protecting  
4 Hawaii's citizens and lands; and  
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6 BE IT FURTHER RESOLVED that certified copies of this  
7 Concurrent Resolution be transmitted to the Director of Health;  
8 the Chiefs of Police of the Hawaii Police Department, Honolulu  
9 Police Department, Kauai Police Department, and Maui Police  
10 Department; and the respective Mayors and County Councils of  
11 Hawaii County, the City and County of Honolulu, Kauai County,  
12 and Maui County.  
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